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6 *Clark County*

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

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10 SONIA GRIVE,

11 Plaintiff,

12 vs.

13 CLARK COUNTY, a political subdivision,
and municipality, including its department,
14 CLARK COUNTY ELECTION
DEPARTMENT,

15 Defendants.
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CASE NO. 2:17-cv-03109-JAD-VCF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY**

17 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of
18 record, hereby stipulate and request that this Court extend discovery in the above-entitled matter
19 by ninety (90) days, up to and including November 9, 2018. The parties also request that the
20 dispositive motions and pretrial order deadlines be extended for an additional ninety (90) days. In
21 support of this Stipulation, the parties provide as follows:

- 22 1. Plaintiff filed her Complaint on December 22, 2017. (ECF No. 1)
23 2. On February 14, 2018, Defendant Clark County filed an Answer to Plaintiff's
24 Complaint. (ECF No. 9).
25 3. On March 5, 2018, the parties held their F.R.C.P. 26 conference and on March 8,
26 2108, the parties filed their initial Stipulated Discovery Plan and Scheduling Order in compliance
27 with F.R.C.P. 26(f) and LR 26-1(e). (ECF No. 13).
28 4. On March 9, 2018, U.S. Magistrate Judge Cam Ferenbach established the following

1 discovery plan (ECF No. 27):

2	Last day of discovery:	August 13, 2018
3	Last day to amend/add:	May 5, 2018
4	Initial expert disclosure:	June 14, 2018
5	Rebuttal expert disclosure:	July 13, 2018
6	Dispositive motions filed:	September 12, 2018
7	Joint pre-trial order:	October 12, 2018

8 5. In compliance with Local Rule 26-4, the parties provide the following information
9 regarding the status of discovery:

10 a. Discovery Completed:

- 11 1) On March 6, 2018, Defendant Clark County served its Initial Disclosure of
12 Documents and Witnesses pursuant to F.R.C.P. 26.
- 13 2) On March 20, 2018, Plaintiff served her Initial Disclosure of Documents and
14 Witnesses pursuant to F.R.C.P. 26.
- 15 3) On March 12, 2018, Defendant Clark County served Plaintiff with Interrogatories
16 and Requests for Production of Documents.
- 17 4) On May 8, 2018, Plaintiff served her Answers to Defendant Clark County's First
18 Set of Interrogatories and Responses to Clark County's First Set of Requests for
19 Production of Documents.

20 b. Discovery that remains to be completed:

- 21 1) Defendant Clark County will need to complete Plaintiff's deposition.
- 22 2) Plaintiff will need to complete the depositions of Clark County and Union
23 employees, Catherine Smith-McIntosh, Joseph Gloria, Lorena Portillo, Randy
24 Peters, Cherie Mancini and possibly others.
- 25 3) The parties will need to complete the depositions of any and all other witnesses
26 identified through discovery.

27 c. Reasons why discovery was not completed:

28 Counsel for Defendant Clark County is handling a 600 member class-action FLSA Action

1 entitled *David Small v. University Medical Center, et. al.*, 2:13-cv-00298-APG-PAL. Given the
2 age of the case, Magistrate Leen has set a firm discovery cutoff date of August 31, 2018, which
3 will cause some delay in scheduling the depositions of Clark County's employees. Counsel for
4 Defendant has also booked a pre-paid two-week vacation to Europe for September 3, 2018
5 through September 14, 2018, which will also cause additional delays in scheduling depositions.
6 The parties continue to discuss settlement in an effort to resolve this matter prior to incurring
7 additional fees and costs associated with completing the above mentioned discovery.

8 d. Proposed schedule for completion of remaining discovery (extension of remaining
9 deadlines by approximately ninety (90) days):

10	Last day of discovery:	November 9, 2018
11	Dispositive motions filed:	December 11, 2018
12	Joint pre-trial order:	January 10, 2019

13 This Request for an extension of time is not sought for any improper purpose or other
14 purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient
15 time to conduct discovery in this case and adequately prepare their respective cases for trial. This
16 is the first request for extension of time in this matter. The parties respectfully submit that the
17 reasons set forth above constitute compelling reasons and good cause for the short extension.

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1 WHEREFORE, the parties respectfully request that this Court extend the discovery period
2 by ninety (90) days, up to and including November 9, 2018, and the other pre-trial deadlines as
3 outlined in accordance with the list above.

4 SUBMITTED BY THE FOLLOWING COUNSEL OF RECORD:

5 DATED this 5th day of July, 2018.

DATED this 5th day of July, 2018.

6 LAW OFFICE OF MICHAEL P. BALABAN

LEWIS BRISBOIS BISGAARD & SMITH LLP

7 */s/ Michael P. Balaban*

/s/ Danielle C. Miller

8 By: _____
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12 *Attorneys for Defendant*
13 *Clark County*

14 **ORDER**

15 IT IS SO ORDERED.

16 DATED this 5th day of July, 2018.

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U.S. MAGISTRATE JUDGE
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